



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 9 – PACIFIC SOUTHWEST REGION
75 Hawthorne Street
San Francisco, CA 94105-3901**

May 5, 2021

Sent Via Email

Fa'i Mareko, Wastewater Manager
American Samoa Power Authority
P.O. Box PPB
Pago Pago, AS 96799

RE: American Samoa Power Authority's Utulei and Tafuna Sewage Treatment Plants – Request for Information under Clean Water Act (CWA) Section 308(a), EPA Docket No. CWA-308-9-21-002

Dear Fa'i Mareko:

The U.S. Environmental Protection Agency, Region 9 (EPA) is requesting information from the American Samoa Power Authority (ASPA), regarding the Utulei Sewage Treatment Plant located at Utulei, Maoputasi, American Samoa, and the Tafuna Sewage Treatment Plant located at Fogagogo, Tualauta, American Samoa, which are subject to Clean Water Act (CWA) National Pollutant Discharge Elimination System Permits, AS0010001 and AS0010010, respectively.

EPA is requesting information regarding recordkeeping and reporting of effluent samples, sanitary sewer overflows, bypasses of UV disinfection systems, and plans for sludge handling and management. Pursuant to the Agency's information-gathering authority under Section 308(a) of the Clean Water Act (CWA), 33 U.S.C. § 1318(a), EPA hereby requests that ASPA provide the information specified in the attached Request for Information, Attachment 1, by **June 4, 2021**.

Please send your response by email to the following email addresses:

Daniel Kostek
Enforcement Officer/Inspector, U.S. EPA Region 9
kostek.daniel@epa.gov

and

Fa'amao Asalele
Director, American Samoa EPA
Faamao.asalele@epa.as.gov

All submittals in response to this letter must be accompanied by the following certification signed by a principal executive officer, ranking elected official, or authorized representative in accordance with 40 C.F.R. § 122.22:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

ASPA may not withhold from EPA any information on the grounds that it is confidential business information. However, you may assert, at the time of submission, a claim of business confidentiality for part or all of the requested information by following the requirements at 40 C.F.R. § 2.203(b). EPA will not disclose business information covered by such claim except as authorized by 40 C.F.R. Part 2, Subpart B. If no claim of business confidentiality accompanies your submission, EPA may make the information available to the public without further notice to you. All confidentiality claims are subject to EPA verification.

Failure to comply with this Request for Information can result in an enforcement action for appropriate remedies, including penalties, under CWA § 309, 33. U.S.C. § 1319. Compliance with this Request for Information does not relieve ASPA of its obligation to comply with the CWA or other applicable laws and permits.

The Request for Information is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act because it is directed to fewer than ten persons and is therefore not a “collection of information” under 44 U.S.C. § 3502(3). It is also an exempt activity under 44 U.S.C. § 3518(c) and 5 C.F.R. § 1320.4.

Thank you for your cooperation and prompt attention to this letter. If you have any questions regarding this Request for Information, please contact Daniel Kostek at 415-972-3080 or kostek.daniel@epa.gov. Please direct any legal questions to Desean Garnett at 415-972-3046 or garnett.desean@epa.gov.

Sincerely,

Eric Magnan
Manager, Water Section 1
Enforcement and Compliance Assurance Division

Enclosure

cc (via email):

Fa'amao Asalele, American Samoa EPA, faamao.asalele@epa.as.gov

William Sili, American Samoa EPA, william.sili@epa.as.gov

ATTACHMENT 1

Request for Information, EPA Docket No. CWA-308-9-21-002

Under the authority of CWA § 308(a), 33 U.S.C. § 1318(a), EPA requests the ASPA to provide the information described below (“Request for Information”) for its Utulei and Tafuna Sewage Treatment Plants.

INSTRUCTIONS

1. Separate Response for Separate Question. Provide a separate narrative answer to, and segregate responsive documents by each question or its subpart. Precede each answer with the number of the corresponding question or its subpart.
2. Best Information Available. Respond to the best of your ability, even if documents are not available. Explain any qualified response. If you do not have the responsive information but know the person from whom the information may be obtained, identify the person.
3. Document Submission. Whenever requested to provide documents, provide copies of all responsive documents in your possession, custody or control. If a responsive document was, but no longer is, in your possession, custody or control, explain what was done with it. If another person has possession, custody or control of the document, identify the person. If the document was disposed of, explain when and why it was disposed of and who disposed of it.
4. Use of Document in Place of Answer. If a document provides the complete answer to a question, you may use it in place of a written answer by supplying the document and appropriately identifying the applicable portion of the document as answering a specific numbered question.
5. Document Alteration or Deletion. Explain the reason and identify the person responsible for any deleted, altered or redacted portion of a submitted document.
6. Obligation to Correct. If you later discover that any submitted information is incorrect, submit a corrected response as soon as possible.
7. No Effect on Other Legal Obligations. This information request in no way alters or relieves you of other legal responsibilities or restrictions.

DEFINITIONS

The following terms shall have the following definitions for this Request for Information:

1. “Document” means all written, recorded, computer generated, or visually or aurally reproduced materials of any kind in any medium in your possession, custody or control or known by you to exist, including all originals, drafts and non-identical copies. The term includes, without limitation, all reports, studies, surveys, plans, transcripts, permits, licenses, deeds, maps, drawings, schematics, specifications, instructions, calculations, monitoring data, rental records, contracts, agreements, bid documents, purchase orders, work orders, invoices, manifests, payment records, spreadsheets, communication records, correspondence, notes, memoranda, photographs, and videos.
2. “Utulei STP” shall mean the sewage treatment plant, including the building or buildings located at Utulei, Maoputasi, American Samoa.
3. “Tafuna STP” shall mean the sewage treatment plant, including the building or buildings located at Fogagogo, Tualauta, American Samoa.
4. “Utulei Permit” shall mean the National Pollutant Discharge Elimination System (NPDES) Permit No. AS0010001, which was effective October 9, 2001, expired October 9, 2006, and was administratively continued until it was reissued, effective February 15, 2020 per EPA’s January 16, 2020 letter to ASPA regarding “Notice of Partial Withdrawal and Notice of Effective Date of Applicable (uncontested and severable) Permit Conditions.”.
5. “Tafuna Permit” shall mean the National Pollutant Discharge Elimination System (NPDES) Permit No. AS0010010, which was effective November 2, 1999, expired November 1, 2004, and has been administratively continued since this time.
6. “Bypass” or “bypasses” shall mean the intentional diversion(s) of waste streams from any portion of a treatment facility.
7. “Wet sewage sludge” shall mean sewage sludge that does not pass the paint filter test, EPA SW-846 Method 9095B.

REQUEST FOR INFORMATION

Please provide the following documents, information, and communications by **June 4, 2021**. If no such document, information, and/or communication exist, then so state explicitly.

1. Provide the following information in a spreadsheet for all influent and effluent samples ASPA collected at the Utulei STP and the Tafuna STP between June 2016 and April 2021 for biochemical oxygen demand (BOD), total suspended solids (TSS), oil and grease, whole effluent toxicity (WET), and enterococci:
 - a. Sample date;
 - b. Sample time;
 - c. Sample location;
 - d. Analytical results;
 - e. Units (e.g. mg/L); and
 - f. Analytical methods used.

Include information for all samples collected in addition to required monitoring frequencies in the Utulei Permits and Tafuna Permit.

2. Provide the following information in a spreadsheet for all sanitary sewer overflows (SSOs) that have occurred from the Utulei STP and the Tafuna STP collection systems between June 2016 and April 2021:
 - a. The cause of the SSO;
 - b. Duration and volume (estimate, if unknown);
 - c. Description of the source (e.g., manhole cover, pump station, etc.);
 - d. Location by street address, or any other appropriate method providing a location;
 - e. Date and time of SSO; including time that ASPA staff first became aware of the SSO and the time responders arrived on-site;
 - f. The destination of the SSO, e.g., surface water body (direct), surface water body (via municipal separate storm sewer system), or land; and
 - g. Corrective action taken and steps taken or planned to eliminate reoccurrence of SSOs.
3. Provide an explanation for any data submitted in response to Question No. 2 of this Request for Information which conflicts with data previously certified in Discharge Monitoring Reports and submitted to EPA.
4. Provide overhead maps with markings indicating the locations of the source of each SSO submitted in response to Question No. 2 of this Request for Information.
5. Provide the following information in a spreadsheet for all bypasses of the UV disinfection system that have occurred at Tafuna STP between June 2016 and April 2021:
 - a. Date;
 - b. Time;
 - c. Duration;
 - d. Reason for bypass; and
 - e. Flow rate during bypass (MGD).
6. Provide information describing ASPA's plans to increase sewage sludge drying capacity at Tafuna STP, including a description of the equipment/technology to be installed, the timeline for completion, and the expected increases to ASPA's sewage sludge dewatering capacity and ability to remove all free liquids from the sludge. Provide all applicable planning and design documents for this project that support the information provided.
7. Provide information describing any interim measures ASPA is conducting to prevent wet sewage sludge from being disposed of at the landfill prior to completion/implementation of its plans to increase sludge drying capacity at Tafuna STP.